



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

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Promoting the wise use of land
Helping build great communities

MEETING DATE May 26, 2005	CONTACT/PHONE Stephanie Fuhs (805) 781-5721	APPLICANT Chestnut Villas, LLC	FILE NO. TRACT 2688 SUB 2004-00133
SUBJECT Request by Chestnut Villas, LLC/Greg Nester Construction for a Vesting Tentative Tract Map and Conditional Use Permit to subdivide an existing 1.14 acre parcel into 16 air space parcels ranging in size from 1,155 square feet to 4,931 square feet each for the purpose of sale and/or development. The project includes both commercial lease space on the street level and residential units on the second and third level of the development. The project includes off-site road improvements to Thompson Road and Chestnut Street. The project will result in the disturbance of the entire 1.14-acre parcel. The proposed project is within the Commercial Retail land use category and is located at 186 North Thompson Road, approximately 520 feet north of the Thompson Road/Tefft Street intersection, in the community of Nipomo. The site is in the South County (Inland) planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Tract 2688 and Conditional Use Permit SUB 2004-00133 based on the findings listed in Exhibits A and C the conditions listed in Exhibits B and D.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 21, 2005 for this project. Mitigation measures are proposed to address Air Quality, Noise, Public Services and Utilities, and Water and are included as conditions of approval.			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 090-384-013 and 014	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: 22.112.080 – Nipomo Urban Area Standards (Areawide and Commercial Retail land use category)			
LAND USE ORDINANCE STANDARDS: 22.10.060 – Exterior Lighting, 22.10.080 – Fencing and Screening, 22.10.090 – Height Measurement, 22.10.140 – Setbacks, 22.10.150 – Solid Waste Collection and Disposal, 22.16 – Parking, 22.18 - Landscaping			
EXISTING USES: Undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/Residences <i>South:</i> Commercial Retail/Commercial uses <i>East:</i> Residential Single Family/Residences <i>West:</i> Residential Single Family, Commercial Retail/Commercial use and residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Group, Public Works, Environmental Health, County Parks, CDF, Nipomo Community Services District, APCD, Olde Towne Nipomo Association	
TOPOGRAPHY: Nearly level	VEGETATION: Grasses
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CDF	ACCEPTANCE DATE: January 14, 2005

PROJECT DESCRIPTION:

The project proposes a Vesting Tentative Tract Map and Conditional Use Permit to subdivide an existing 1.14-acre parcel into 16 air space condominium parcels ranging in size from 1,155 square feet to 4,931 square feet each for the purpose of sale and/or development. The project includes both commercial lease space on the street level and residential units on the second and third level of the development. The project site is currently vacant.

The architectural design of the project incorporates agrarian and Victorian elements with a variety of colors and materials including brick and cultured stone veneer, wood paneling and standing seam metal roofing.

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.080 of the Land Use Ordinance allows for the Review Authority, through Conditional Use Permit approval, to determine minimum parcel size for a planned development or condominium project. The density of residential units must be in compliance with Planning Area Standards and Section 22.10.130 for Residential Multi-Family projects. The proposed Tract Map and Conditional Use Permit meets all requirements as follows:

Standard	Allowable/Required	Proposed	Complies w/Standard?
Density	1.14 acres @ 38 units per acre (43units)	10 units	Yes

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

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Development Standards

Chapters 22.10, 22.16, and 22.18 of the Land Use Ordinance establish development standards. The proposed Tract Map and Conditional Use Permit meets all requirements as follows:

Standard	Allowable/Required	Proposed	Complies w/Standard?
Setbacks	May be set by map with minimum of 10 feet between all structures, Front: no setback required, Corner side: 10 feet, Interior side: no setback required, Rear: 5 feet	Minimum of 10 feet between all structures Front: no setback, Corner Side: 12 feet, Interior Side: no setback, Rear – 12 feet	Yes
Height	45 feet	41feet, 6 inches	Yes
Parking	50 spaces total	41 spaces on-site 18 on-street parking spaces	Yes, see discussion*
Landscaping	Landscape plan for entire site	Landscape plan for entire site	Yes, as conditioned
Fencing	Fencing plan	Fencing plan	Yes, as conditioned

**This project qualifies for a 20 percent shared on-site parking adjustment as set forth in Section 22.18.020(D) of the Land Use Ordinance. With the adjustment, the required number of parking spaces is 40 which complies with Land Use Ordinance standards. The 18 on-street parking spaces further reduces the amount of parking necessary on-site.*

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

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PLANNING AREA STANDARDS:

22.112.080 – Nipomo Urban Area Standards: Community-wide – Applicable standard is the requirement for connection to community sewer system. *Commercial Retail land use category* – The project is located within the Central Business District (CBD) which encourages compact, pedestrian oriented development. The project was reviewed by the Olde Towne Nipomo Business Association and staff and the project complies with the design standards in the Olde Towne Nipomo Circulation and Design Plan. Within the Commercial Retail land use category, mixed-use projects are encouraged and multi-family dwellings as the principal use can be authorized with Conditional Use Permit approval. Findings are attached which allow residential uses as the primary use.

COMMUNITY ADVISORY GROUP COMMENTS: The Nipomo Community Advisory Council supported the project at their meeting. The Olde Towne Nipomo Association also supports the proposal.

AGENCY REVIEW:

Public Works - Supports with conditions

Environmental Health – Provide stock conditions for community water and sewer

County Parks – Require Quimby and building division fees

CDF – See attached fire safety plan

Nipomo Community Services District – Require final will-serve letter and supplemental water if the density is above South County Area Plan standards

APCD – Consistent with Clean Air Plan policies, recommends construction phase, operational phase mitigations as well as permitting requirements for future commercial tenants

LEGAL LOT STATUS:

The two lots were legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Chuck Stevenson, Supervising Planner

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**FINDINGS - EXHIBIT A
TRACT 2688 (CHESTNUT VILLAS)**

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 21, 2005 for this project. Mitigation measures are proposed to address Air Quality, Noise, Public Services and Utilities, and Water and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Commercial Retail land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of commercial retail business and single family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support commercial retail businesses and single family residences.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is located in an urbanized area that does not contain significant fish or wildlife habitats.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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**CONDITIONS - EXHIBIT B
CONDITIONS OF APPROVAL FOR TRACT 2688 (CHESTNUT VILLAS, LLC)**

Approved Project

1. A Vesting Tentative Tract Map and Conditional Use Permit to subdivide an existing 1.14 acre parcel into 16 air space condominium parcels ranging in size from 1,155 square feet to 4,931 square feet each for the purpose of sale and/or development.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. North Thompson Avenue and East Chestnut Street widened to complete an A-2 section fronting the property, consistent with the Olde Towne Nipomo Design Plan.
 - b. The alley to the east of the site shall be paved from the southern property line to East Chestnut Street.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. A 20-foot radius property line return at the intersection of North Thompson Avenue and East Chestnut Street.

Improvement Plans

4. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

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6. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

7. Submit complete drainage calculations to the Department of Public Works for review and approval.
8. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
10. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Utilities

11. Electric and telephone lines shall be installed underground.
12. Cable T.V. conduits shall be installed in the street.
13. Gas lines shall be installed.

Vector Control and Solid Waste

14. A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

15. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map per the CDF letter dated November 4, 2004.

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Parks and Recreation (Quimby) Fees

16. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.

Affordable Housing Fee

17. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Additional Map Sheet

18. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - b. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated November 4, 2004 from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
 - c. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 1. Reduce the amount of disturbed area where possible,
 2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 3. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 4. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 5. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
 6. All dirt stock-pile areas should be sprayed daily as needed.

- d. **Prior to issuance of construction permits for the residential units**, the applicant shall show on the construction plans the following for noise mitigation:
 - 1. air conditioning or a mechanical ventilation system,
 - 2. windows and sliding glass doors mounted in low air infiltration rate frames,
 - 3. solid core exterior doors with perimeter weather stripping and threshold shields,
 - 4. glass windows in both windows and doors shall not exceed 20 percent of the floor area in a room, and
 - 5. roof or attic vents facing the noise source shall be baffled.
- e. **Prior to issuance of construction permits**, the applicant shall pay all applicable South County road improvement fees.
- f. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

Miscellaneous

- 19. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 20. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- 21. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.
- 22. **Prior to map recordation**, the applicant, in conjunction with the APCD, shall develop a long-term approved Trip Reduction Plan or other method acceptable to the APCD to reduce trips by providing for public transportation or alternative transportation methods.

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EXHIBIT C – FINDINGS
Conditional Use Permit SUB 2004-0133 (Chestnut Villas)

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 21, 2005 for this project. Mitigation measures are proposed to address Air Quality, Noise, Public Services and Utilities, and Water and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the uses are allowed and as conditioned are consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the mixed-use project including retail and residential uses does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because this project site is zoned Commercial Retail in the General Plan and Land Use Ordinance which envisioned commercial uses which would potentially benefit surrounding neighborhoods by providing shops and restaurants within walking distance of residences. With regard to noise and lighting, the project will be required to comply with County ordinances which regulate the maximum allowed exterior noise levels for day and night time hours as well as providing lighting that is shielded and facing downward and not creating off-site glare to neighboring properties.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Chestnut Street, a local road and Thompson Road, an arterial road constructed to a level able to handle any additional traffic associated with the project.

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Residential in Commercial Retail or Office and Professional land use categories

- G. The proposed use will not significantly reduce the community inventory of commercial property available to satisfy the commercial needs of the population envisioned by the Land Use Element of the General Plan, because commercial lease spaces are provided for within the project on the street level.
- H. The proposed use will not impede the continuing orderly development of community shopping areas with commercial uses, because the first floor of the project will provide six commercial lease spaces with residential uses located on the second and third floor of the project.
- I. Modification of parking standards required by Land Use Ordinance Section 22.18.020, is justified because the project qualifies for a 20 percent reduction in required parking which requires 40 spaces be provided on the project site. 41 spaces are provided on-site with 18 additional spaces provided on Thompson Avenue which will be adequate to accommodate on the site all parking needs generated by the use and no traffic problems will result from the proposed modification of parking standards.

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EXHIBIT D - CONDITIONS OF APPROVAL
Conditional Use Permit (Chestnut Villas SUB 2004-00133)

Approved Development

1. This approval authorizes
 - a. 16 air space condominium parcels ranging in size from 1,155 square feet to 4,931 square feet each for the purpose of sale and/or development.
 - b. maximum height is 45 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan, and color and materials board.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated November 4, 2004.

Services

5. **At the time of application for construction permits**, the applicant shall provide a letter from the Nipomo Community Services District stating they are willing and able to service the property.

Conditions to be completed prior to issuance of a construction permit

Air Quality

6. **Prior to issuance of construction permits for the commercial units (tenant improvements)**, the applicant shall receive applicable permits from the Air Pollution Control District (APCD) for uses that are potentially incompatible with the neighboring residential uses (including, but not limited to, dry cleaners, nail salons, coffee roasters, etc.)
7. **Prior to issuance of construction permits**, construction plans which include wood burning devices shall show only those devices which are approved by the APCD.

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Fees

8. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Noise

9. **Prior to issuance of construction permits for the residential units**, the applicant shall show on the construction plans the following for noise mitigation:
- air conditioning or a mechanical ventilation system,
 - windows and sliding glass doors mounted in low air infiltration rate frames,
 - solid core exterior doors with perimeter weather stripping and threshold shields;
 - glass windows in both windows and doors shall not exceed 20 percent of the floor area in a room, and
 - roof or attic vents facing the noise source shall be baffled.

Signs

10. **Prior to issuance of a construction permit for a sign**, the applicant shall comply with the standards set forth in the approved sign program.

Traffic

11. **Prior to issuance of construction permits**, the applicant shall pay all applicable South County road improvement fees.

Water

12. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Air Quality

13. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
- Reduce the amount of disturbed area where possible,
 - Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.

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- e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
 - f. All dirt stock-pile areas should be sprayed daily as needed.
14. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before **final building inspection**. If bonded for, landscaping shall be installed within 60 days after final building. All landscaping shall be maintained in a viable condition in perpetuity.
15. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
16. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
17. **Prior to final inspection or occupancy of any structure**, the no parking/limited parking restriction set by the Board of Supervisors on November 23, 2004 shall be removed.

On-going conditions of approval (valid for the life of the project)

18. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
19. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

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SIGN PROGRAM
TRACT 2688- Chestnut Villas

I. GENERAL REQUIREMENTS

- a. Approved color types and font style shall be that which is compatible with the architecture of the structure onto which the sign shall be mounted, unless the font and color is part of an established trademark of the tenant. Under no circumstances shall neon colors be allowed. Exposed neon tube lighting is prohibited.
- b. Sign area is calculated by determining the number of square feet of the smallest rectangle(s) within which a sign face can be enclosed. In determining the area of an individual sign that has more than one face (e.g. a monument or projecting sign), the single sign face with the greatest area shall be used. The total sign area is the sum of all individual sign areas.
- c. All signs shall be subject to the approval of the landlord, or his designated representative.
- d. See attached approved architectural elevations for locations of allowed signs.
- e. All signs shall be submitted for County Planning Department review and approval prior to application for a sign permit (construction permit).

II. WALL SIGNS

- a. Wall signs shall be made of individual can letters, internally illuminated.
- b. All wall signs shall be flush mounted to the building.
- c. Wall signs shall be of flat cut metal letters, 3/8" thick. Flat wall signs, not comprised of individual cut letters, shall be allowed only when in conjunction with flat cut letters. Such flat signs shall also be of metal, with digitally printed images. No vinyl adhesive lettering or images shall be allowed.
- d. Wall signs may only be located on a building face that has a public entrance.
- e. Tenant spaces shall be allowed the following square footage for wall signs:
 - 20% of the tenants will be allowed 50 square feet,
 - 20% of the tenants will be allowed 40 square feet,
 - 60% of the tenants will be allowed 35 square feet.No two 50 square feet or 40 square feet wall signs shall be located adjacent to each other.

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III. PROJECTION SIGNS

- a. All projection or suspended signs shall be constructed of ½" 2" min. thick wood composite with all images to be digitally printed directly onto surface. Such projection or suspended signs may be dual sided. No vinyl adhesive lettering or images shall be allowed.
- b. Projection or suspended signs must be pedestrian-oriented for shoppers and must maintain a minimum clearance of 8 feet above the public sidewalk area.
- c. Projection or suspended signs may only be attached to a building façade that has a public entrance.
- d. Projected or suspended signs may be lit in accordance with the lighting standards below, although ambient light is usually sufficient to light these small signs.
- e. Signs shall be indirectly lighted by continuous, stationary, shielded light sources, directly solely at the sign. No internal lighting is to be allowed.
- f. Projected signs shall be limited to a maximum of 3 square feet in area.

IV. MONUMENT OR FREE STANDING SIGNS

- a. One monument sign with a maximum of 30 square feet.
- b. Monument sign may not exceed 5 feet in height from finished sidewalk grade (even if it is in a planter).
- c. Such monument sign will be architecturally compatible with approved architecture.

V. ILLUMINATION

- a. All light sources, whether internal to the sign or external, shall be shielded from view.
- b. Sign illumination for externally illuminated signs shall utilized focused light fixtures that do not allow light or glare to shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property.
- c. Signs shall not be illuminated after 10:00 p.m. or close of business, whichever is later.
- d. Each sign shall be designed so that illumination does not exceed 100 luxes (10-footcandles) measured at a distance of 10 feet from the sign.
- e. Internally illuminated cabinet signs are prohibited.

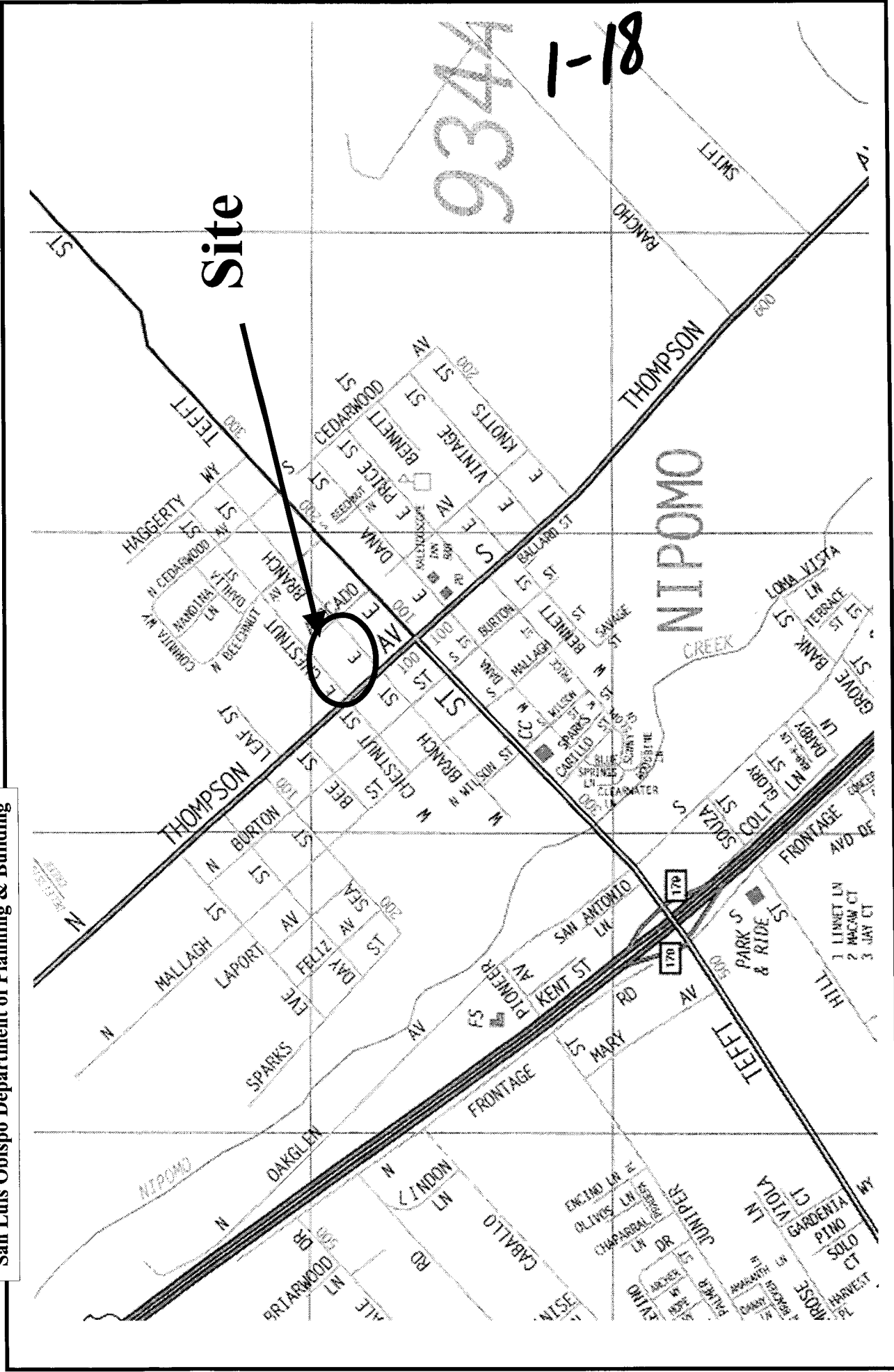
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VI. WINDOW SIGNS

- a. Window signs are not allowed.

VII. RETAIL SHOP TENANTS

- a. Sign area, location and style for retail shop tenants shall be as shown on the approved architectural elevations. Capital letters shall be a maximum of 24 inches in height and lower-case letter a maximum of 18 inches in height.
- b. One suspended sign with a maximum area of 5 square feet for each business.
- c. One projecting sign with a maximum area of 3 square feet for each business.



Exhibit

VICINITY MAP



Chestnut Villas LLC

Tract Map/CUP SUB 2004-00133

Site 1-19

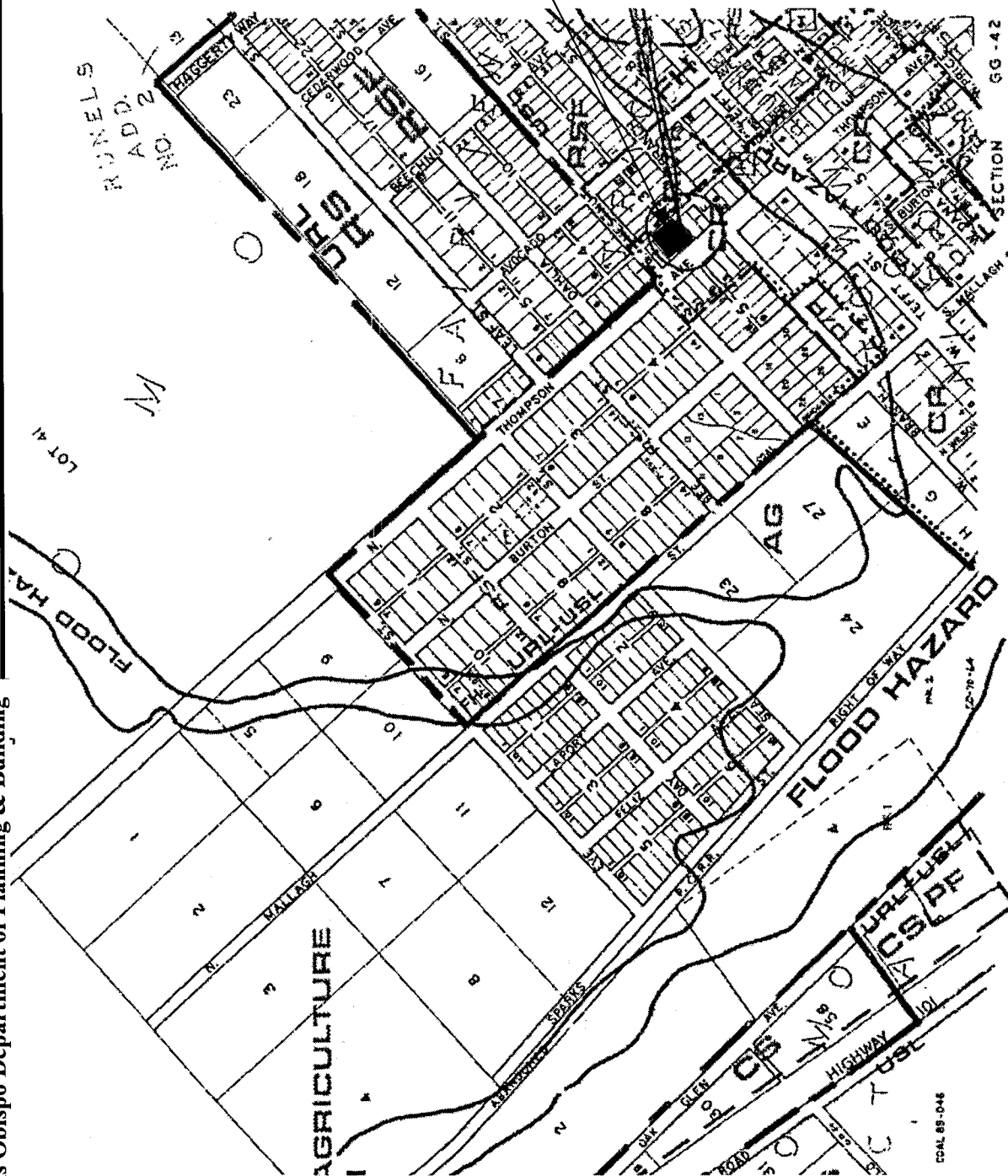
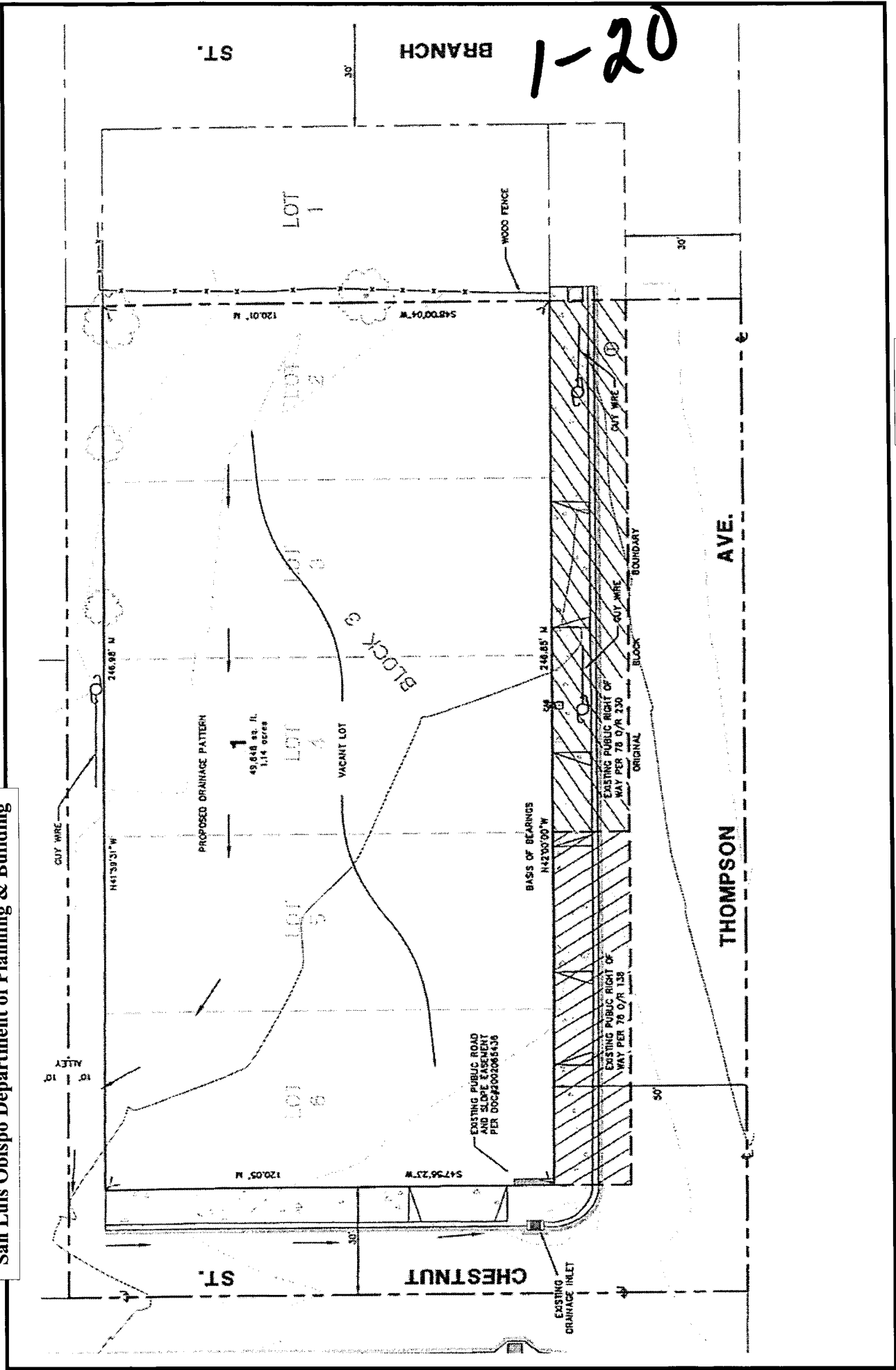


Exhibit
Land Use Category Map

Project
Chestnut Villas, LLC
Tract Map/CUP SUB 2004-00133

San Luis Obispo Department of Planning & Building



Exhibit

Exhibit Proposed Tentative Tract Map



Project

Project Chestnut Villas, LLC

Tract Map/CUP SUB 2004-00133

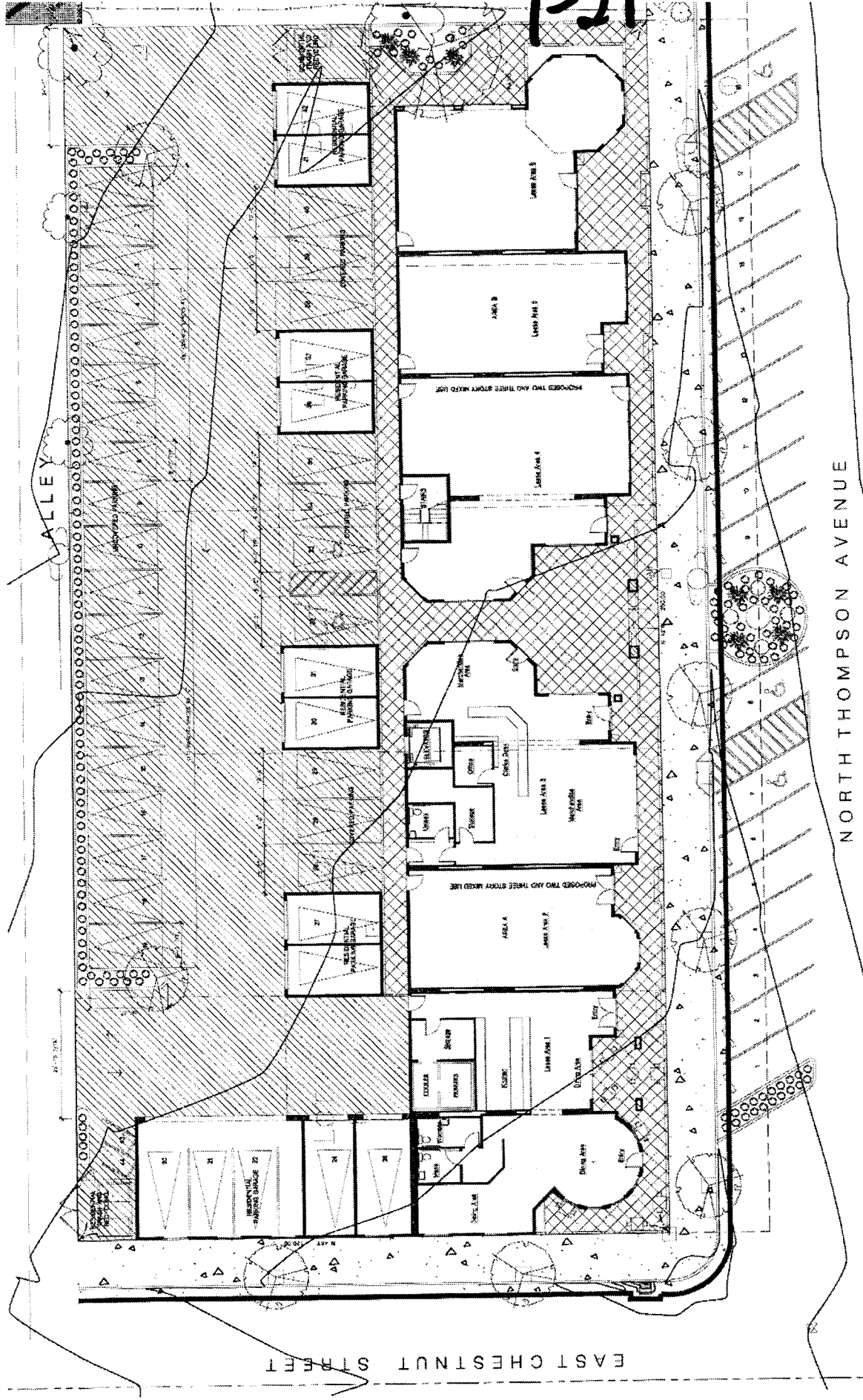
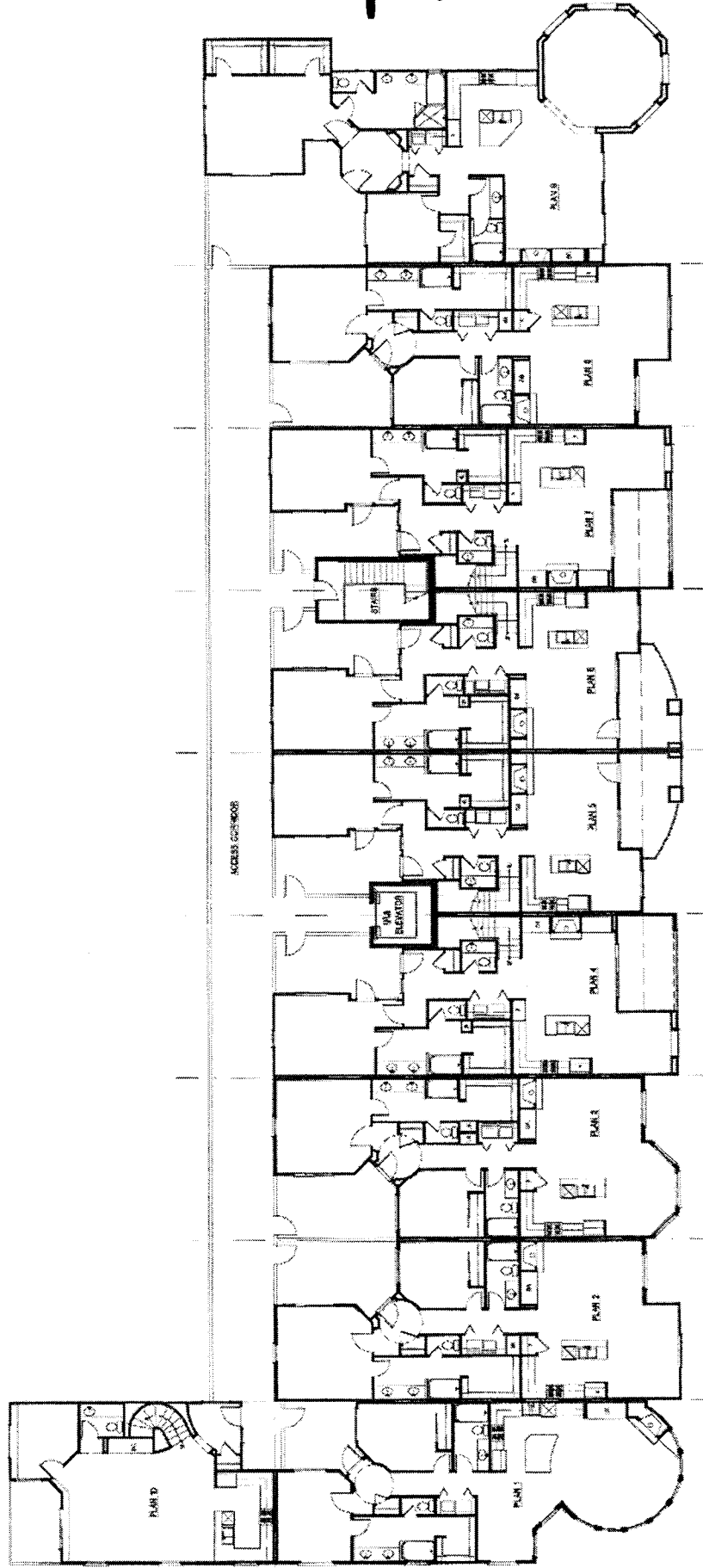


Exhibit
Site Plan

Project
Chestnut Villas, LLC
Tract Map/CUP SUB 2004-00133



Residential Main Floor

Exhibit

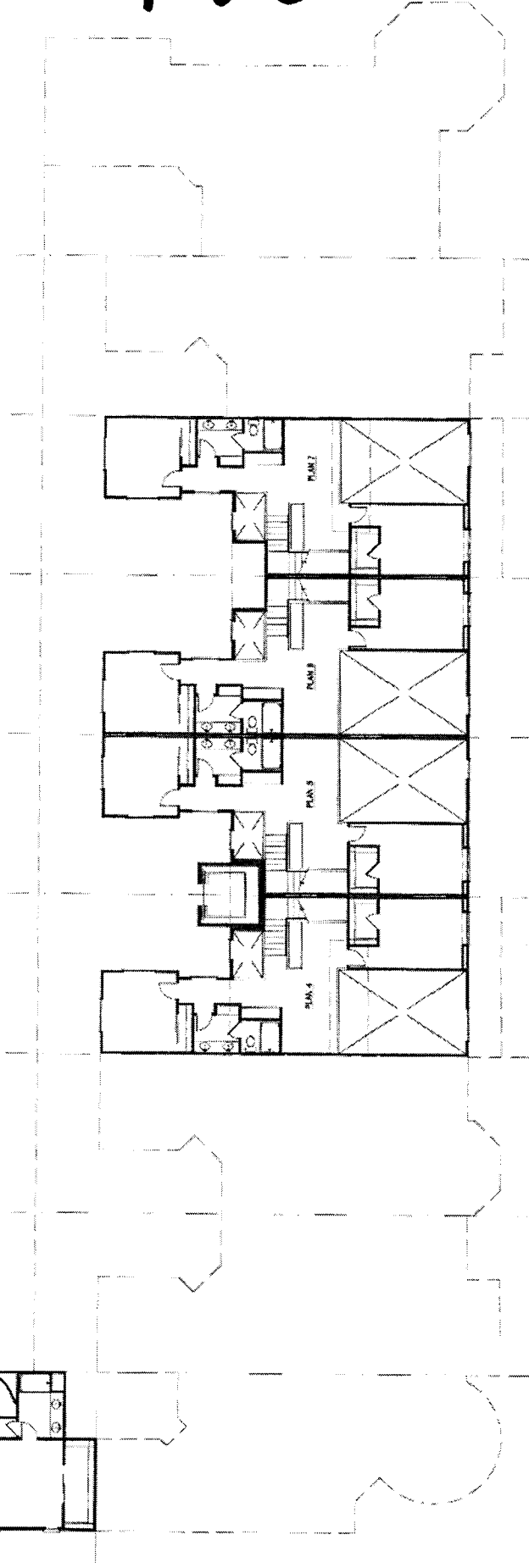
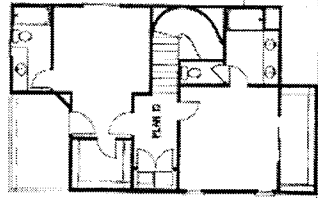
Second Floor Plan



Project

Chestnut Villas, LLC

Tract Map/CUP SUB 2004-00133



1-23

Project

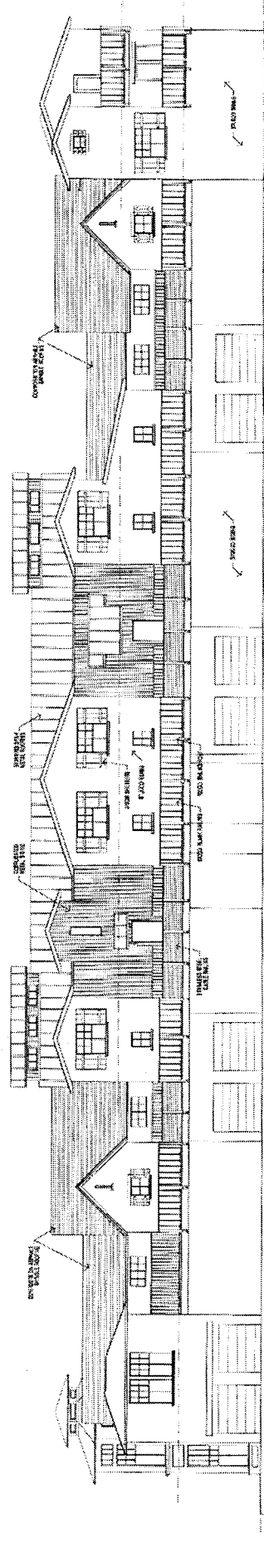
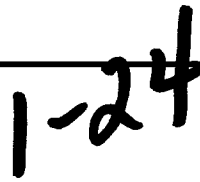
Chestnut Villas, LLC

Tract Map/CUP SUB 2004-00133



Exhibit

Third Floor Plan



Exhibit

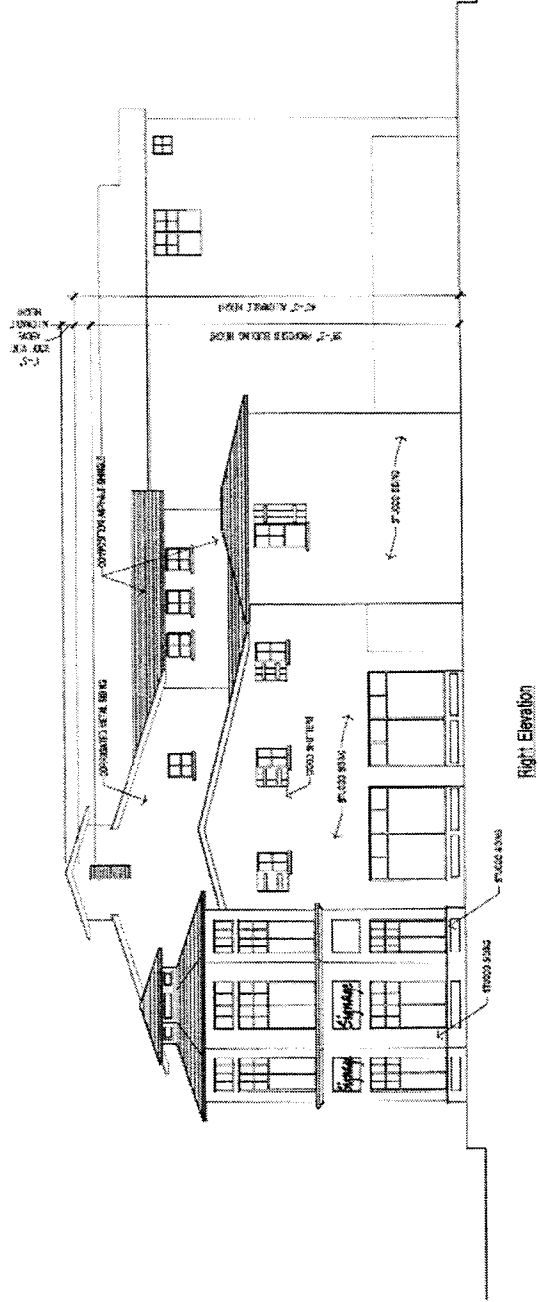
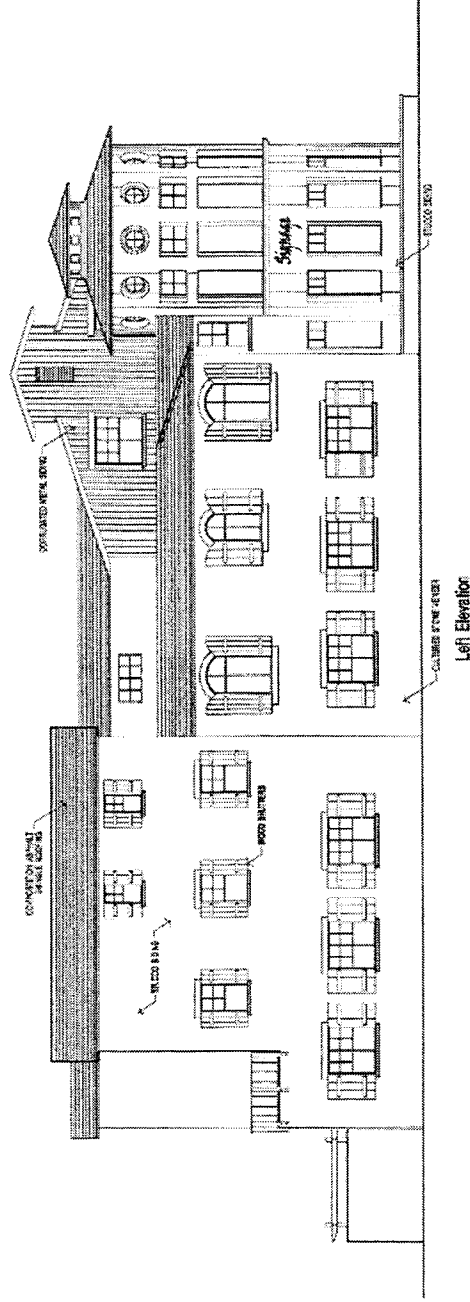
Elevations



Project

**Project
Chestnut Villas, LLC**

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Exhibit

North and South Elevations



Project

Project Chestnut Villas, LLC

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